

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**DONALD WIGGINS,**

**Defendant.**

)  
)  
)  
)  
)  
)  
)  
)  
)  
)

**Case No. 8:12CR311**

**ORDER**

This case is before the court on the defendant Donald Wiggins' Motion to Review Detention (#356). The defendant moves the court for release from incarceration so that he may attend a Salvation Army adult rehabilitation program. The defendant is currently in custody for reasons set out in the court's October 22, 2012 Detention Order (#110) and is set for trial on June 24, 2013 before the Honorable Joseph F. Bataillon.

After reviewing the motion and the defendant's September 27, 2012 Pretrial Services Report (#24), I find the motion should be denied. A review of the defendant's Pretrial Services report shows the defendant has a significant prior criminal record, including three prior felony convictions (1986, 1991, and 2010). Additionally, I would note that the proposed release plan fails to rebut the presumption of detention under 18 U.S.C. § 3142(e).

**IT IS ORDERED** that defendant's Motion to Review Detention (#356) is denied without hearing.

Dated this 3rd day of June 2012.

BY THE COURT:

S/ F.A. Gossett, III  
United States Magistrate Judge